

9. (Twice amended) The multichamber bag according to Claim 7 or 8, characterized in that it is heat sterilizable.

11. (Twice amended) The multichamber bag according to Claim [7] 1, 2, 3, 4, 5, 6, 7, 8, 9 or 10, characterized in that the outer wall in the chamber separation zone is provided with at least one tear tab (10)[, preferably with two tear tabs (10)].

12. (Twice amended) Use of a multichamber medical bag according to Claim 7, 8, 9, 10 or 11 for preparation of mixed solutions for dialysis, infusion, or nutrition.

REMARKS

Applicants traverse the rejection of claim 12 over USC § 101 in that steps are set forth, namely preparing (in the bag) mixed solutions as stated. On page 5 of the Office Action the Examiner states that the patent to Genske et al. discloses a multilayer polymer film having at least one layer formed from a polymeric blend of a polyethylene or a polypropylene (co)polymer and an elastomer such as SIS copolymer or SEBS copolymer. From his point of view, this anticipates claim 1 of the present application disclosing a multilayer polymer film having at least one layer formed of a matrix polymer being polyethylene or polypropylene homo- oder co-polymer and a phase polymer being for example SIS or SEBS block copolymer.

Applicants have amended the claims to overcome the 35 USC § rejection.

In fact, if one examines the patent of Genske et al. carefully, one can easily find out that in the multilayer polymer film at least one layer of the film is formed of basically three components, while the multilayer polymer film according to the present invention is formed of only two components.

While at Genske et al. a first layer of the film is a blend of a first component of polypropylene, a second component which is an ethylene based copolymer and a third component, in the present application in contrast thereto the film forming the sealing layer is a blend of only two components, namely a matrix polymer and a phase polymer.

While it is possible to compare the first component of Genske et al. (a polypropylene) with the matrix polymer of the present application (which may be a polypropylene, too), the second component of Genske et al. has no corresponding equivalent in the present application. The third component disclosed by Genske et al. is said to be an elastomer, SIS and SEBS among them, corresponding to the phase polymer according to the present invention.

At Genske et al. this third component is called "modifier." These modifiers are used to get better compatibility between the layers of the multilayer polymer film. Since the object of the invention, according to Genske et al., is to obtain packages having excellent resistance to rupture and to peeling of heat

seals, these modifiers are used to make a strong and continuous seal if heat sealed. In contrast thereto, in the present invention it is just one main aspect of the composition according to claim 1, that matrix polymer and phase polymer are not compatible with each other. From this results, that on sealing only with a first relatively low sealing temperature, this matrix phase polymer system forms a peelable bond. In contrast thereto, the polymer system according to Genske et al., incorporating a first component, a second component and a modifier will never form a peelable seal, since the modifier is working as compatibilizer resulting in a homogeneous distribution of the components in the layer.

It can be seen from Table 1 that in all examples the inner sealing layer consists of these three components.

In view of the amendments to the claims and the foregoing remarks applicants believe that the claims are in condition for allowance and respectfully solicits a Notice of Allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Berliner', with a large, stylized initial 'B'.

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